

SHB 1093 - H AMD 8

By Representative Morris

ADOPTED 03/04/2015

1 Beginning on page 3, after line 11, strike all of sections 3 and 4
2 and insert the following:

3
4 "NEW SECTION. **Sec. 3.** (1) No person may operate an unmanned
5 aircraft in Washington state airspace that is equipped with an active
6 sensing device unless:

7 (a) The federal government has provided specific authorization for
8 the operation; or

9 (b) The operation complies with each of the conditions established
10 in section 4 of this act.

11 (2) For purposes of subsection (1) of this section and section 4
12 of this act, "specific authorization" by the federal government
13 includes authorization issued pursuant to the federal aviation
14 administration modernization and reform act of 2012 (49 U.S.C. 40101)
15 or other federal authority establishing that the operation is lawful
16 and permitted under federal law, except that "specific authorization"
17 does not include operation of an unmanned aircraft pursuant to the
18 exemption from regulation for recreational uses established in the
19 special rule for model aircraft of the federal aviation administration
20 modernization and reform act of 2012 (49 U.S.C. 40101 Sec. 336).

21 (3) Nothing in this chapter may be construed as authorizing the
22 use of, prohibiting the use of, or regulating in any manner the use of
23 an unmanned aircraft by a public agency.

24
25 NEW SECTION. **Sec. 4.** An unmanned aircraft may not be operated in
26 Washington state airspace unless the following conditions are met:

27

1 (1) The unmanned aircraft has specific authorization from the
2 federal government, as defined in section 3 of this act; or
3 (2) The unmanned aircraft is clearly and conspicuously labeled
4 with the name and contact information of the aircraft's owner and
5 operator and does not have an active sensing device onboard that
6 collects personal information about any individual without the
7 individual's consent."

EFFECT: Provides that the act's restrictions and requirements for operation of unmanned aircraft in Washington state airspace do not apply to an operation that has been authorized under the Federal Aviation Administration Modernization and Reform Act (FMRA) or other federal authority establishing that the operation is lawful and permitted under federal law, but the state law requirements do apply to operations conducted pursuant to the exemption from regulation for recreational uses established under the FMRA Special Rule for Model Aircraft.

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